

## Custodial Operations Policy and Procedures

### 19.2 Movement orders and permits

#### Policy summary

Inmates may be moved from a Correctional Centre or from Court/Police custody for a number of reasons.

This policy sets out information about the Movement Orders that authorise the transfer of an inmate to and from a correctional centre or a court or tribunal (for example the Independent Commission Against Corruption (ICAC), a Royal Commission, the State Parole Authority (SPA) or the Victims Compensation Tribunal (VCT)).

It provides guidance on escorts of inmates from one correctional centre to another. This may occur due to classification or for security reasons or for any other reason as determined by the Commissioner (delegate).

It also provides guidance on escorts from a court or correctional centre to a mental health facility for the assessment of an inmate

All Court issued orders should be maintained on the digital warrant file, all CSNSW issued orders should be maintained on the Case Management file.

#### Management of Public Correctional Centres Service Specifications

Service specification	Safety and security
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## Scope

This section applies to all correctional centres and other facilities administered by or on behalf of Corrective Services NSW (CSNSW), and to all CSNSW employees.

It also applies to all CSNSW employees, and where relevant to other personnel such as Justice Health & Forensic Mental Health Network (JH&FMHN), contractors, subcontractors, and visitors.

For Security & Intelligence (S&I) staff, this policy must be read in conjunction with S&I Local Operating Procedures (LOPs).

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# 1 Movement orders and permits

## 1.1 Policy

Inmates may be moved from a correctional centre or court cell complex for several reasons. All escorts out of a correctional centre or court cell complex must have an authorised movement order issued in line with the relevant section of the *Crimes (Administration of Sentences) Act 1999*. The reason for the movement will determine the type of Order required.

### **Section 6(2) – Work performed by inmates**

Section 6(2) work/program activity orders are administered by the Classification and Placement Branch. Refer to the *Offender Classification and Case Management Policy and Procedures Manual* for further information.

### **Section 23 – Transfers from one correctional centre to another**

Except in emergency situations, an inmate must not be moved from one correctional centre to another correctional centre, court, or hospital without the approval of the State Manager, Inmate Transfers (IT). Outside business hours the *section 23 Request* should be sent to the duty officer to forward to the State Manager, ITPMU for approval.

Each movement of an inmate transfer between correctional centres must be authorised by a *section 23 Request*. IT must generate a *section 23 Order*.

There must be a *section 23 Order* for each stage of the transfer if the inmate is to travel via multiple correctional centres. The receiving centre must be notified if an inmate in transit requires accommodation.

The only exception to the need for a *section 23 Order* is:

- if an inmate is only being temporarily moved from one correctional centre to another, and
- if the inmate will be returning to their home correctional centre on the same day.

In such cases a *section 38 Order* can be issued.

### **Section 24 – Transfers to hospital**

A *section 24 Order* must be authorised if an inmate must attend hospital or other medical facility for medical treatment. A *section 24 Order* must be produced using the Offender Integrated Management System (OIMS) module.

### **Section 25 – Local leave order (police interviews and justice assistance)**

A *section 25 Local Leave Order* must be authorised if the Police or other government agencies need to interview an inmate, in a location outside of the correctional centre, in connection to an investigation of an offence or to assist in the administration of justice. A *section 25 Local Leave Order* may also be issued by the Commissioner requiring an inmate to be taken from the correctional centre to any place in the state for any purpose the Commissioner considers appropriate.

### **Section 26 – Local leave permits (other purposes)**

A *section 26 Local Leave Permit* may be issued to allow an inmate to be absent from a correctional centre:

- on conditions and for periods as specified in the permit and
- for any reason the Commissioner deems appropriate.

These reasons may include:

- compassionate reasons such as the serious illness of a family close member or a death in the immediate family (**refer to COPP section 9.3 Application for compassionate leave**)
- the administration of justice or a police interview (**refer to COPP section 20.6 Inmate interviews by police and other government agencies and 19.5 Police escorts**).
- to attend an interview or attend work
- for educational courses
- weekend leave
- sporting activities.

### **Section 29 – Interstate leave permits**

An interstate leave permit must be issued to allow an inmate to be escorted to another state or territory of Australia. A *section 29 Interstate leave permit* is approved by the Commissioner who may include specific conditions for the escort. The Commissioner can issue the permit on any grounds unless the inmate has a high security classification, in which case interstate leave can only be granted for medical treatment or some other compassionate purpose. The interstate leave permit must not exceed 7 days.

### **Section 38 orders – Movements between correctional centres on a correctional complex**

A *section 38 Order* allows an inmate to be escorted from their correctional centre of classification to another correctional centre on the same correctional complex. The inmate must be returned to the correctional centre of classification on the same day.

### **Section 77 – Attendance of inmates before courts and court officers**

A *section 77 Order* allows an inmate to be transferred to a court or tribunal.

### **Commissioner powers: Local leave orders and permits**

The Commissioner of Corrective Services (the Commissioner) or delegate may, at any time:

- a) vary or omit any condition of a local leave order or permit
- b) substitute or add new conditions to a local leave order or permit
- c) revoke a local leave order or permit.

CSNSW must not hold a forensic patient in custody in a bed or location unless it has an Order from a Court or the Mental Health Review Tribunal (MHRT).

## 1.2 Mental Health Escorts

Escorts out of a correctional centre or court cell complex can also have a movement authorised in line with the relevant section of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*.

### **Section 19 – Orders Magistrate may make**

A *section 19 Order* is made for a defendant to be taken to, and detained in, a mental health facility for assessment. If the defendant is found not to be mentally ill, the defendant is brought back before the Magistrate or an authorised justice, unless granted bail by a police officer.

### **Section 21 – Proceedings before authorised justice**

A *section 21 Order* is made for a defendant to be taken to, and detained in, a mental health facility for assessment. If the defendant is found not to be mentally ill, the defendant is brought back before the Magistrate or an authorised justice, unless granted bail by a police officer.

For more details on mental health escorts, see part 11 of this policy

## 2 Section 23 transfers between correctional centres requests and orders

### 2.1 Procedures for section 23 requests

	Procedures	Responsibility
1.	<p>Indicate on the <i>section 23 request</i> if an inmate:</p> <ul style="list-style-type: none"> <li>• is on a segregated or protective custody direction</li> <li>• has association requirements</li> <li>• has special management needs including methadone</li> <li>• is staying overnight at another correctional centre, receiving medical treatment, attending police interviews or for reasons connected to a <i>section 26 Local Leave Permit</i></li> <li>• is a <i>DPP interest – not to associate on transport</i> (if applicable)</li> <li>• is <i>Inmate under threat during transport</i> (if applicable).</li> </ul>	Authorised officer
2.	<p>Record:</p> <ul style="list-style-type: none"> <li>• all alerts, including those where the Corrections Intelligence Group (CIG) need to be contacted for further information</li> <li>• the MIN and location of each nominated non-association listed</li> <li>• if the inmate has been identified as having an intellectual disability or identifies as transgender or intersex (<b>refer to COPP section 3.8 Transgender</b></li> </ul>	Authorised officer

	<b>and intersex inmates and 6.9 Inmates with disabilities).</b>	
3.	Contact the CIG, if there is a relevant alert, to determine if it is safe to proceed with the proposed transfer. Record on the <i>section 23 Request</i> : <ul style="list-style-type: none"> <li>• if it is safe to move the inmate and</li> <li>• the name of the person at CIG who provided this information.</li> </ul>	Authorised officer
4.	Verify and sign the <i>section 23 Request</i> .	Checking officer/MOS/ Manager/Deputy Manager, Inmate Classification & Placement
5.	Email or fax the completed <i>section 23 request</i> to the State Manager, IT.	Authorised officer

## 2.2 Procedures for section 23 orders

	Procedures	Responsibility
1.	Complete and sign a <i>Transfers between correctional centres order</i> (the <i>section 23 Order</i> ) <b>Note:</b> a <i>section 23 Order</i> must be generated for every step of the inmate transfer.	State Manager - IT
2.	Email or fax a copy of the signed <i>section 23 Order</i> to the: <ul style="list-style-type: none"> <li>• Court Escort Security Unit (CESU)</li> <li>• sending centre</li> <li>• receiving centre.</li> </ul>	Authorised officer
3.	Approve any alterations or variations to the <i>section 23 Order</i> .	State Manager - IT
4.	If an inmate is to be removed from a scheduled escort, email or fax a completed <i>Section 23 Order cancellation</i> to the State Manager, ITP ( <b>refer to COPP section 19.1 General escort procedures</b> ).	Authorised officer from the <b>sending</b> correctional centre
5.	Cancel the <i>section 23 Order</i> . Place the: <ul style="list-style-type: none"> <li>• Original <i>section 23 Order</i> and</li> <li>• <i>Section 23 Cancellation Order</i> received from ITPMU on the inmate's CMF.</li> </ul>	Authorised officer



## 3 Vacancies at receiving centres

### 3.1 Policy

The State Manager, ITPMU must prioritise inmates to be transferred under *section 23 Orders* on scheduled escorts.

Arrangements for out-of-schedule escorts are the responsibility of the sending correctional centre after consulting the State Manager, ITPMU regarding vacancy levels at other correctional centres.

The State Manager, ITPMU must be contacted for the current inter-centre movement schedules before the details of any escort are finalised.

## 4 Movement of transit inmates

### 4.1 Policy

Inmates received at a centre who are in transit to another centre must be moved without delay to the centre specified in the *section 23 Order*. While held in transit, they should be separated from other inmates wherever possible.

Inmates in transit must not be held overnight at a centre without authority from the State Manager, ITPMU.

## 5 Section 24 medical escorts

### 5.1 Policy

An inmate may be moved to a hospital or other place if medical treatment is required. An inmate may apply for private medical treatment and, if approved, the cost of these escorts must be met by the inmate.

All escorts for medical purposes must have an approved section 24 Order (**Refer to COPP sections 19.3 Special and costed escorts and 19.6 Medical escorts**).

## 6 Section 25 local leave orders

### 6.1 Policy

A *section 25 Local leave order* may be issued on application by a police officer or an officer of a law enforcement agency for an inmate to attend an interview about an offence in a correctional centre (whether or not the inmate is suspected of having committed the offence) or to assist in the administration of justice.

All applications for local leave orders are co-ordinated by the CESU Section 25 co-ordinator. All applications for a *section 25 Local leave order* must be referred to the co-ordinator as soon as possible.

A *section 25 Local leave order* is approved by the Commissioner (delegate) to direct that an inmate is taken from a correctional centre to a place specified in the order. The order may also specify certain conditions such as the period of time the inmate is to be temporarily absent from the correctional centre and security requirements (**refer to COPP section 19.5 Police escorts**).

## 7 Section 26 local leave permits

### 7.1 Policy

A *section 26 Local leave permit* must be approved before an inmate can temporarily leave a correctional centre for specified reasons.

Escort officers may be approved to dress in appropriate civilian attire when escorting inmates to funerals and events of cultural significance.

Further information about issuing *section 26 Local leave permits* on compassionate reasons is in **COPP section 9.3 Application for compassionate leave**.

A *section 26(2)(j) Local leave permit* must be approved to allow an inmate to be transferred to a Transitional Centre.

## 8 Section 29 short-term interstate leave permits

### 8.1 Policy

Section 29 interstate leave permits may be granted:

- for an Aboriginal person, to attend a funeral or burial of the inmate's immediate or extended family or attend an event of special significance to the inmate's immediate or extended family; or
- to attend a medical appointment; or
- to receive medical treatment; or
- for a compassionate visit; or
- to attend a funeral, service or burial; or
- under another ground specified by the Commissioner (a permit issued on these grounds may or may not be a costed escort)

The leave must not exceed 7 days. Refer to **COPP section 19.4 Air escorts**, for procedures when an inmate is travelling by aeroplane. Refer to **COPP section 19.1 General escort procedures** for escort procedures that apply to all escorts.

A high security classification inmate may only be issued a *section 29 interstate leave permit* for medical treatment or some compassionate purpose.

The Commissioner may include additional conditions for the escort (e.g. being in the presence of escort officers at all times). The Commissioner may change or revoke the conditions at any time.

## 8.2 Procedure

	Procedures	Responsibility
1.	Receive inmate request form and forward it to the Governor of the correctional centre where the inmate is housed.	All staff
2.	<p>Ensure adequate supporting evidence is provided by the inmate (e.g. letters from Doctor). Estimate the costs of the escort including:</p> <ul style="list-style-type: none"> <li>• Corrective Officer expenses (refer to <b>COPP section 19.3 Costed escorts</b> for calculation method)</li> <li>• flights (if applicable)</li> <li>• hire car (if applicable)</li> <li>• valet parking (if applicable)</li> <li>• any other incidentals.</li> </ul>	FM in consultation with Administration Manager
3.	<p>Draft a package and send to the General Manager (GM), State-Wide Operations that includes:</p> <ul style="list-style-type: none"> <li>• a cover letter from the Governor to the GM, Statewide Operations that describes: <ul style="list-style-type: none"> <li>○ the reason for the request (the purpose of the interstate travel)</li> <li>○ the reasons for incarceration</li> <li>○ the estimate of costs and the whether the inmate has funds available in their account (or whether they need approval for an advance)</li> </ul> </li> <li>• a completed section 29 permit form, <i>Section 29 Interstate leave permit</i>, ready for the signature of the Commissioner</li> <li>• a completed <i>Authority to travel by air</i>, ready for signature by the General Manager, Custodial Operations</li> <li>• the original request by the inmate for interstate travel</li> <li>• any supporting evidence which demonstrates the reason for interstate leave is genuine (e.g. a letter from a Doctor)</li> <li>• evidence of conduct since incarceration (provide a copy of case note reports by staff members)</li> <li>• the inmate profile document</li> <li>• for funerals or compassionate visits, the visitor details report for the relevant person.</li> </ul>	FM in consultation with Administration Manager
4.	<p>Review package and, if approved:</p> <ul style="list-style-type: none"> <li>• sign <i>Authority to travel by air</i></li> <li>• arrange with CESU for letters/emails to be prepared to send to the relevant state or territory Police Chief, Police Commissioner and Corrective Services Commissioner in anticipation of approval.</li> <li>• forward the package to the Commissioner for approval.</li> </ul>	General Manager, Statewide Operations

	Procedures	Responsibility
5.	Review package and decide whether to grant interstate leave request: <ul style="list-style-type: none"> <li>• sign <i>Section 29 Interstate leave permit</i></li> <li>• decide whether to apply conditions to the escort and include them in the permit</li> <li>• forward approval to the relevant Governor and CESU.</li> </ul>	Commissioner /Commissioner's delegate
6.	<ul style="list-style-type: none"> <li>• organise all arrangements concerning the escort including flights and accommodation</li> <li>• liaise with interstate counterparts and send to them a <i>Section 33 Interstate notification form</i></li> <li>• notify Commonwealth authorities at the airport and the relevant airline company the inmate will travel with</li> <li>• determine whether additional security arrangement are required such as handcuffs.</li> </ul>	CESU

## 9 Section 38 movements between correctional centres on a correctional facility

### 9.1 Policy

An inmate may be temporarily moved from one correctional centre to another on the same correctional complex.

This temporary movement is conducted under a *section 38 Order*, and authorised by the MOS, Functional Manager (FM) or Officer in Charge (OIC), provided:

- the inmate will be returned to their correctional centre of classification on the same day
- they will not be taken off the correctional complex
- transfer is necessary and
- convenient to the management of the receiving correctional centre.

A *section 23 Order* must be raised if the inmate will not be returning to the sending correctional centre on the same day.

### 9.2 Procedures

	Procedures	Responsibility
1.	Complete a <i>Section 38(3) Escorts within correctional complex order</i> (a <i>section 38(3) order</i> ).	MOS/FM/OIC
2.	Retain a copy of the authorised <i>section 38 Order</i> .	MOS/FM/OIC
3.	Record the movement on OIMS: <i>Institutions</i> → <i>Movements</i> → <i>Unscheduled External Moves</i> .	Authorised officer

4.	Conduct the escort.	Correctional Centre Escort officers
5.	If a cancellation is required, cancel the <i>section 38(3) Order</i> and place the: <ul style="list-style-type: none"> <li>• original <i>section 38(3) Order</i> and</li> <li>• <i>Section 38(3) Order cancellation on the CMF</i></li> </ul>	Authorised officer

## 10 Remand warrants

### 10.1 Policy

The remand warrant expires on the day the accused person appears in court. A new remand warrant must be issued by the court for the inmate to continue to be in the custody of CSNSW.

	Procedures	Responsibility
1.	Ensure a copy of the new remand warrant is received from the Local or District Court before transferring the inmate.	State Sentence Administration
2.	Upload the electronic version of the court's remand warrant to OIMS when received from the court.	State Sentence Administration

CSNSW has a legal obligation to ensure that all accused persons are:

- detained in custody in line with the court's order
- transported to court on the dates/times specified by the court
- released as soon as possible if bail is granted (**refer to COPP sections 1.2 Reception – warrants and detainers and 23.1 Releases from police or court cells, and 23.2 Releases from correctional centres**).

### 10.2 Section 77 orders

A *Section 77 order* is required when an inmate is to attend any legal proceeding, inquest or inquiry and an order is issued to direct them to appear.

The *Section 77 order* authorises the inmate to be transported from the correctional to the court or tribunal and returned. No other movement order is required.

# 11 Mental Health escorts

The escort of correctional and forensic patients require that:

- CSNSW will carry out the escort of a person managed under **section 72** of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* – forensic patient – from a correctional centre to the Forensic Hospital or any mental health facility within a correctional centre
- CSNSW will carry out the escort of a correctional patient (**section 73** of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* from the Forensic Hospital or from any mental health facility within a correctional centre to a correctional centre; and
- CSNSW will escort a correctional patient to and from court from the Forensic Hospital or from any mental health facility within a correctional centre (provided a prior clinical assessment has been carried out by Justice Health & Forensic Mental Health Network (JH&FMHN) and the patient is considered fit to attend court).

Refer to the *Sentence Administration Procedures for Forensic and Correctional Patients* for further information (see *Quick links* part 12 of this document).

## 11.1 Section 19 Mental Health Act 2007

Custodial patients requiring mental health assessment upon release from custody with a Schedule 1 certificate under the *Mental Health Act 2007* (NSW) (also known as ‘scheduling’) must be transferred to the nearest Declared Mental Health Facility (DMHF). NSW staff of the receiving health care facility must be notified of the pending transfer by either the JH&FMHN clinicians (where the custodial patient is held at a correctional centre) or the JH&FMHN State Wide Community & Court Liaison Service / Sheriff’s office (where the custodial patient is located at a court cell location).

The JH&FMHN clinicians will arrange for transfer with NSW Ambulance of a custodial patient requiring a mental health assessment where the custodial patient is within a correctional centre, and JH&FMHN / the Sheriff’s Office will arrange for this transport where the custodial patient is located at a court cell location.

## 11.2 Sections 19 and 21 of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*

Defendants can be taken to a DMHF on an order by a Magistrate or an authorised justice under Section 19 or 21 of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW) (the Act) for an assessment.

Refer to a *S19 and S21 Offender Transport Arrangements* poster in *Quick links*.

This transfer is conducted by CSNSW for defendants appearing in court via Audio Visual Link (AVL) at Surry Hills Police Complex, Amber Laurel Correctional Centre and all other correctional centres which house inmates on remand or inmates with outstanding court matters. Where CSNSW is unable to undertake the escort, the matter should be escalated to the GM/Governor and the NSWPF Commander.

For escorts that are undertaken by CSNSW, prior to transporting a defendant to the relevant DMHF, contact will be made by CSNSW to the Nurse Unit Manager/Nurse in Charge at the DMHF to advise them of the imminent arrival of the defendant. CSNSW is required to transport a defendant immediately upon an order under section 19 or 21 of the Act being made. An *Escort assessment* for the inmate must be completed prior to undertaking the escort.

On arrival at a DMHF, a CSNSW Officer must attend the NSW Health triage desk, or NSW Health health care facility equivalent, and advise the NSW Health triage nurse:

- that they have a person who is subject to a section 19 or 21 order and requires a mental health assessment in accordance with that order
- of all relevant risk factors pertaining to the defendant.

The CSNSW Officer must provide a copy of the section 19 or 21 order to the triage nurse, or to the NSW Health clinician who will conduct the assessment, if they are present.

The triage nurse will arrange for the Nursing Unit Manager/Nurse-in-charge or their nominated officer (NUM) to meet with the Officer in Charge Escort (OIC Escort) out of earshot of the inmate. The OIC Escort will share information about the inmate with the NUM (available from the additional page generated from the *Escort assessment*) and collaborate to complete the *Joint Safety Plan* (which will be provided by the NUM). Refer to COPP section 19.6 Medical escorts for full details of how to undertake *Information sharing and joint safety management planning*.

In relation to following section 19 and 21 orders set out as 11.3 and 11.4 below, and at the point in which care is transferred to DMHF staff, CSNSW Officers will clearly advise that they are handing over responsibility for the defendant to the DMHF. Where a defendant presents a safety risk to staff and patients, DMHF staff may engage the assistance of health security staff, and NSW Police may be called upon to assist.

### **11.3 Orders made under section 19(a) or 21(1)(a) of the Act**

If the order has been made under section 19(a) or 21(1)(a) of the Act, CSNSW may depart from the facility once the care of a defendant has been transferred to DMHF staff and a copy of the order has been provided. At this point the DMHF is responsible for the care and management of the patient. CSNSW Officers are not required to stay to await the outcome of the mental health assessment.

### **11.4 Orders made under sections 19(b) or 21(1)(b) of the Act**

If the order has been made under section 19(b) or 21(1)(b) of the Act, CSNSW must remain at the DMHF until the initial assessment is completed and CSNSW has been advised of the outcome of the assessment.

If, as a result of this assessment, a defendant has been found to be mentally ill or a mentally disordered person who needs to be admitted, the person will then be a patient of the DMHF. CSNSW officers may then depart.

If, however, the defendant on a section 19(b) or section 21(1)(b) order is found not to be mentally ill or mentally disordered, CSNSW will be responsible for immediately transporting the defendant to a police station for a bail determination.

CSNSW must phone the Custody Manager / charge room at the police station where the defendant will be taken, to advise them that the defendant will be brought in.

On arrival at the relevant police station, CSNSW escort the defendant into the charge room and present them to the Custody Manager.

CSNSW must remain with the defendant at the police station until the bail assessment is completed. NSW Police will prioritise the bail assessment / setting of the court date, where possible.

If the defendant is granted bail and no other matter is identified by NSW Police, the defendant will be released and CSNSW may depart the location. If bail is granted, CSNSW officers can leave the offender at the police station even when the bail conditions are NOT met. CSNSW do not need to wait for bail conditions to be met.

Alternatively, if the defendant is bail refused, CSNSW will transport the defendant to the original correctional centre / court cell location.

### **Weekend or public holiday AVL**

For Friday evenings and prior to a public holiday only, Police bail refused defendants from metropolitan correctional centres without weekend / public holiday AVL will be transported from the police station to either Amber Laurel Correctional Centre or Surry Hills Court Complex so that the offender can appear in court via AVL the next day. Custodial escorting staff are required to contact 1-Post (02 8372 5449) to have the defendant lodged at Amber Laurel or Surry Hills before commencing the escort from the police station to the court cells.

In regional areas, if the centre does not run a weekend / public holiday AVL, NSW Police will take custody of the defendant and facilitate the bail appearance the following day.

If the offender is then bail refused by the court, they are transported on the next available escort truck back to their respective centre.

## **11.5 Escorts for other assessments**

The powers granted to CSNSW Officers under sections 19 and 21 are limited to detaining or restraining a defendant when escorting the defendant to and from a mental health facility for a mental health assessment. They do not apply while the defendant is being assessed or to any other assessment or treatment (such as general physical health checks or x-rays).

CSNSW Officers acting under a section 19 or 21 order must not escort a defendant for any other health assessments.

## **11.6 Escorts out of JH&FMHN Forensic Hospital**

If a correctional patient housed in the JH&FMHN Forensic Hospital at Long Bay receives a section 19 or 21 order, CSNSW Long Bay Hospital staff escort the correctional patient as per a normal section 19 or 21 transport.

For section 19(b) or 21(1)(b), if the defendant is declared not mentally ill by the mental health facility, CSNSW transport the defendant to a police station for a bail



determination. If bail is refused, CSNSW staff escort the defendant to Amber Laurel Correctional Centre or Surry Hills Court Cells to be taken back before the magistrate. Custodial escorting staff are required to contact 1-Post (02 8372 5449) to have the defendant lodged at Amber Laurel or Surry Hills before commencing the escort.

**For responses to common questions in relation to these escorts, refer to *Frequently Asked Questions* and the *S19 And S21(1) Offender Transport Arrangements* in the *Quick links: Related documents* below.**

## 12 Quick links

- [Related COPP](#)
- [Forms and annexures](#)
- [Related documents](#)

## 13 Definitions

ACIC	Australian Criminal Intelligence Commission
Authorised officer	The officer authorised by the Governor to perform the functions prescribed as part of the Custodial Operations Policy and Procedures.
AVL	Audio Visual Link
CESU	Court Escort Security unit
CIG	Corrections Intelligence Group
CMU	Case Management Unit
COPP	Custodial Operations Policy and Procedures
Correctional Patient	means a person (other than a forensic patient) who has been transferred from a correctional centre to a mental health facility while serving a sentence of imprisonment, or while on remand, and who has not been classified by the Tribunal as an involuntary patient.
Delegated officer	Any officer who occupies or acts in the following positions which the Governor has delegated certain Governor's functions to deal with correctional centre offences: <ul style="list-style-type: none"> <li>• Manager of Security</li> <li>• Functional Manager.</li> </ul>
EHSEU	Extreme High Security Escort Unit
FM	Functional Manager
Forensic Patient	a person who is detained in a mental health facility, correctional centre or other place, or released from custody subject to conditions, pursuant to an order under: <ul style="list-style-type: none"> <li>(i) section 14, 17 (3), 24, 25, 27 or 39, or</li> <li>(ii) section 7 (4) of the <i>Criminal Appeal Act 1912</i> (including that subsection as applied by section 5AA (5) of that Act)</li> </ul>
ICAC	Independent Commission Against Corruption
ITPMU	Inmate Transfers and Population Management Unit
JH&FMHN	Justice Health & Forensic Mental Health Network
LOPs	Local Operating Procedures
MIN	Master Index Number
MHRT	Mental Health Review Tribunal

Movement Order	An authorisation to move an inmate from the correctional centre where they are housed.
OIC	Officer In Charge
OIMS	Offender Integrated Management System
Remand Warrant	<p>A remand inmate is defined as a person who has either been unable to meet bail conditions or has had bail refused. This may also be in respect of appeal matters.</p> <p>As remand warrants will expire on the day the inmate appears in court, a new remand warrant or other form of detainer must accompany the inmate upon their return to the correctional centre.</p>
S&I	Security and Intelligence, a branch of CSNSW
SPA	State Parole Authority
Sections 19 and 21 orders	An order by a Magistrate or an authorised justice under sections 19 or 21 of the <i>Mental Health and Cognitive Impairment Forensic Provisions Act 2020</i> may require an inmate to be taken to a Designated Mental Health Facility for an assessment.
Section 23 order	An order under Section 23 of the <i>Crimes (Administration of Sentences) Act 1999</i> requires the transfer of an inmate from one correctional centre to another correctional centre.
Section 24 order	An order under Section 24 of the <i>Crimes (Administration of Sentences) Act 1999</i> requires the transfer of an inmate to a hospital or some other place for medical treatment.
Section 25 local leave order	An order under Section 25 of the <i>Crimes (Administration of Sentences) Act 1999</i> requires the transfer of an inmate to a specified place to be interviewed by law enforcement officers or to assist in the administration of justice.
Section 26 local leave permit	A permit (known as a 'local leave permit') under Section 26 of the <i>Crimes (Administration of Sentences) Act 1999</i> allows an inmate to be absent from a correctional centre for a number of reasons (funeral, compassionate leave, training/employment, weekend leave)
Section 29 interstate leave permit	A permit (known as an 'interstate leave permit') under Section 29 of the <i>Crimes (Administration of Sentences) Act 1999</i> allows an inmate to be escorted to another state or territory and returned to their correctional centre. The permit can be issued for any reason the Commissioner deems appropriate, but especially for Aboriginal inmates to attend funerals, burials and occasions of special significance for immediate and extended family.
Section 38 order	Section 38 of the <i>Crimes (Administration of Sentences) Act 1999</i> allows the transfer of an inmate between correctional centres on the same correctional complex.

Section 77 order	An order under Section 77 of the <i>Crimes (Administration of Sentences) Act 1999</i> requires the production of an inmate before an authorised court or tribunal, and the return of the inmate to the correctional centre at the conclusion of their attendance at the court or tribunal. The order is made by the court or tribunal which the inmate is required to attend.
VCT	Victims Compensation Tribunal

## 14 Document information

<b>Business centre:</b>	Custodial Operations	
<b>Approver:</b>	Kevin Corcoran	
<b>Date of effect:</b>	16 December 2017	
<b>EDRMS container:</b>	D18/7527	
<b>Version</b>	<b>Date</b>	<b>Reason for amendment</b>
1.0	22/06/18	<b>COPP 19 Escorts</b> was revised.
1.1	12/03/20	General formatting update and improvements
1.2	30/03/21	New Part 11 <i>Mental health escorts</i> to include provisions under the <i>Mental Health and Cognitive Impairment Forensic Provisions Act 2020</i> (NSW).
1.3	26/05/21	Requirement to complete <i>Escort</i> assessment, undertake information sharing and complete the joint safety management plan added to <b>[11.2]</b> Sections 19 and 21 of the <i>Mental Health and Cognitive Impairment Forensic Provisions Act 2020</i> . Refer to Commissioner's memorandum 2021/08.
1.4	28/01/22	Updated throughout to incorporate the introduction of Digital Inmate Warrant Files – refer to Commissioners memorandum 2022/03 <i>Transition to Digital Inmate Warrant Files</i> .